

HOUSE BILL 702

By Doggett

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to criminal offenses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-417(c)(1), is amended by deleting the subdivision and substituting:

(1) Cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48) is a Class B felony if the amount involved is point five (0.5) grams or more of any substance containing cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48) and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); and

SECTION 2. Tennessee Code Annotated, Section 39-17-417(c)(2)(A), is amended by deleting the subdivision and substituting:

(A) Any other Schedule II controlled substance, including cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48) in an amount of less than point five (0.5) grams, is a Class C felony and, in addition, may be fined not more than one hundred thousand dollars (\$100,000); provided, that if the offense involves less than point five (0.5) grams of a controlled substance containing cocaine, methamphetamine, fentanyl, carfentanil, remifentanil, alfentanil, thiafentanil, or any fentanyl derivative or analogue under § 39-17-406(b)(48) but the defendant carried or employed a deadly

weapon as defined in § 39-11-106, during commission of the offense or the offense resulted in death or bodily injury to another person, the offense is a Class B felony.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to offenses committed on or after that date.